

REMARKS

Claims 13-30 were previously pending in the application. This Amendment amends claim 14. Claims 13 and 15-30 remain unchanged. New claims 31-36 are added. Claims 13, 26, and 35 are independent.

The Claimed Invention

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 13, is directed to an egg tray for a refrigerator, comprising a support plate in which a plurality of receptacles for respectively one egg is formed, and a wall surrounding the support plate, wherein the receptacles are formed by openings in the support plate and that the surrounding wall is divided into a plurality of wall sections separated by recesses.

Another exemplary embodiment of the claimed invention, as recited by, for example, independent claim 26, is directed to an egg tray set for a refrigerator, comprising a first egg tray and a second egg tray, each egg tray having a support plate in which a plurality of receptacles for respectively one egg is formed, and a wall surrounding the support plate, wherein the receptacles are formed by openings in the support plate and that the surrounding wall is divided into a plurality of wall sections separated by recesses; a handle projecting upwardly from the support plate of each egg tray above its center of gravity and a slit is formed in the support plate of each egg tray, the handle of one of the egg trays being receivable through the slit of the other egg tray to interconnect the egg trays; and the first and second egg trays being stackable with one another by engagement of the wall sections of one of the egg trays into the recesses of the other egg tray.

In this manner, the present invention provides an egg tray having openings in the support plate, thereby providing effective cooling of the lower area of each egg mounted therein. The surrounding wall is divided into a plurality of wall sections separated by recesses, thereby providing free access of cold air to the lower end of each egg mounted in each opening. See, e.g., page 2, lines 5-6, paragraph [006].

The Rejections under 35 U.S.C. § 103

In the Office Action, claims 13-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Fierek et al. reference (U.S. Patent No. 5,669,498) in view of the Cox et al. reference (U.S. Patent No. 5,344,023).

Applicants respectfully traverse this rejection.

Independent claims 13 and 26

Applicants respectfully submit that none of the applied references discloses or suggests the features of the claimed invention including a refrigerator, comprising a support plate in which a plurality of receptacles for respectively one egg is formed, and a wall surrounding the support plate, wherein the receptacles are formed by openings in the support plate and that the surrounding wall is divided into a plurality of wall sections separated by recesses, as recited in independent claim 13. Independent claim 26 recites somewhat similar features.

As explained above, these features are important for providing an egg tray having openings in the support plate, thereby providing effective cooling of the lower area of each egg mounted therein. The surrounding wall is divided into a plurality of wall sections separated by recesses, thereby providing free access of cold air to the lower end of each egg mounted in each opening. See, e.g., page 2, lines 5-6, paragraph [006].

The Office Action alleges that the Fierek et al. reference discloses a wall 102 surrounding the support plate 68, 70, 72, 74, and that the surrounding wall 102 is divided into a plurality of wall sections separated by recesses 80, 82, 84, 86. The Office Action alleges that the Cox et al. reference discloses forming openings in the support 28.

Contrary to the assertions in the Office Action, Applicants respectfully submit that the claimed invention would not have been obvious from the alleged combination of the Fierek et al. reference and the Cox et al. reference. Indeed, the Fierek et al. reference does not teach or suggest dividing the surrounding wall into a plurality of wall sections separated by recesses in order to provide free access of cold air to the lower end of each

egg mounted in each opening, as taught by the present invention. As shown for example in Figures 4-8, the alleged recesses 80, 82, 84, 86 of the Fierek et al. reference have absolutely nothing to do with providing access to cold air to the lower end of each egg mounted in the alleged openings. If the opening of the Cox et al. reference were provided in the support plate 68, 70, 72, 74 of the Fierek et al. reference, then the lower end of each of the eggs clearly would be exposed below the alleged support plate 68, 70, 72, 74. In the Fierek et al. reference, the surrounding wall 102 extends upward from the support plate 68, 70, 72, 74. Thus, the alleged recesses 80, 82, 84, 86 have no affect on the lower ends of the eggs and would not suggest this feature to one of ordinary skill in the art when combined with the Cox et al. reference.

Moreover, in stark contrast to the claimed invention, the alleged recesses 80, 82, 84, 86 of the Fierek et al. reference would serve to limit access to cold air to the upper end of each egg mounted in the alleged openings. The alleged recesses 80, 82, 84, 86 would not promote access to cold air, since the side panels 112 clearly would obstruct or prevent access to air from the alleged recesses 80, 82, 84, 86 to the upper end of each egg mounted in the alleged openings.

The Cox et al. reference also does not teach or suggest dividing the surrounding wall into a plurality of wall sections separated by recesses in order to provide access to cold air to the lower end of each egg mounted in the alleged openings. Instead, the Cox et al. reference teaches only an uninterrupted peripheral wall 32 surrounding the alleged plate 28.

For at least these reasons, none of the applied references discloses or suggests the claimed invention to one of ordinary skill in the art. Indeed, the applied references have nothing to do with the problems being addressed and solved by the claimed invention.

Furthermore, none of the applied references discloses or suggests at least an egg tray set for a refrigerator, as recited in independent claim 26.

Claim 26 recites a first egg tray and a second egg tray, each egg tray having a support plate in which a plurality of receptacles for respectively one egg is formed, and a wall surrounding the support plate, wherein the receptacles are formed by openings in the

support plate and that the surrounding wall is divided into a plurality of wall sections separated by recesses; a handle projecting upwardly from the support plate of each egg tray above its center of gravity and a slit is formed in the support plate of each egg tray, the handle of one of the egg trays being receivable through the slit of the other egg tray to interconnect the egg trays; and the first and second egg trays being stackable with one another by engagement of the wall sections of one of the egg trays into the recesses of the other egg tray. Emphasis added. In this manner, the present invention provides an extremely stable and space-saving stacking of the first and second egg trays. See, e.g., page 2, lines 20-21; paragraph [008].

As shown in Figure 10 of the Fierek et al. reference, the walls 102 that surround the alleged support plate 68, 70, 72, 74 of a first egg tray clearly do not engage the alleged recesses 80, 82, 84, 86 of a second egg tray when stacked together. Instead, the trays rest on top of each other.

Moreover, even if the trays were nested within each other, the walls 102 that *surround* the alleged support plate 68, 70, 72, 74 of a first egg tray clearly do not engage the alleged recesses 80, 82, 84, 86 of a second egg tray when stacked together. Indeed, the walls 102 clearly would not fit into the recesses 80, 82, 84, 86 of a second egg tray.

Moreover, none of the applied references discloses or suggests a handle projecting upwardly from the support plate of each egg tray above its center of gravity and a slit being formed in the support plate of each egg tray, the handle of one of the egg trays being receivable through the slit of the other egg tray to interconnect the egg trays.

Contrary to the assertions in the Office Action, the Fierek et al. reference clearly does not disclose or suggest a slit formed in the egg tray that receives the handle of another egg tray. Instead, the Fierek et al. reference explicitly discloses a hollow interior 28, not a slit. See, e.g., col. 5, lines 43-45.

Thus, none of the applied references discloses or suggests all of the features of independent claim 26.

Applicants respectfully request withdrawal of these rejections.

Claims 14-25 and 27-30

Applicants respectfully submit that none of the applied references discloses or suggests the features of claims 14-25 and 27-30 for at least the reasons set forth above, as well as for the additional features recited therein.

For example, none of the applied references discloses or suggests at least that a section of the circumference of the support plate on which an upright wall section is arranged so that it projects over the circumference is located *diametrically opposite* to a section of the circumference on which a recess is located. In this manner, the present invention provides an egg tray that can be stacked with a second egg tray in a configuration twisted by 180° with respect to one another, where respectively one wall section of one egg tray engages in a gap between two wall sections of the other egg tray, thereby providing an extremely stable and space-saving stacking of the egg trays. See, e.g., page 2, lines 13-21; paragraph [008].

As shown in Figures 2 and 3, the Fierek et al. reference clearly does not disclose or suggest that the wall sections are located *diametrically opposite* to a section of the circumference on which a recess is located. Instead, each of the wall sections 102 clearly is located diametrically opposite to another wall section 102, not to a recess 80, 82, 84, 86.

Thus, none of the applied reference discloses or suggests at least the features of claim 15.

Similar to independent claim 26, claim 21 recites that the two egg trays can be stacked by engagement of the wall sections of one of the egg trays into the recesses of the other egg tray. Thus, none of the applied references discloses or suggests the features of claim 21 for at least the same reasons as set forth above with respect to claim 26.

Similar to independent claim 26, claim 23 recites that a slit is formed in the support plate through which a handle of a second egg tray can be passed. Thus, none of the applied references discloses or suggests the features of claim 23 for at least the same reasons as set forth above with respect to claim 26.

Applicants respectfully submit that the features of claims 13-30 are not rendered obvious from the applied references.

Applicants respectfully request withdrawal of these rejections.

New Claims

This Amendment adds new claims 31-36. No new matter is added. See, e.g., page 2, lines 5-28, paragraphs [006] - [009]; page 4, lines 14-18, paragraph, [021]; Figures 1-3.

None of the applied references discloses or suggests the features of claims 31-36 for at least the reasons set forth above, as well as for the additional features recited therein.

For example, none of the applied references discloses or suggests at least wherein the support plate has an upper surface and a lower surface, and wherein the wall sections project over the circumference of the support plate and downward from the support plate in a direction opposite from the upper surface, as recited in claim 31. Instead, in the Fierek et al. reference, the wall sections 102 clearly extend upward from the alleged support plate 68, 70, 72, 74.

As explained above, none of the applied references discloses or suggests at least each of the plurality of wall sections of the surrounding wall is located diametrically opposite to a recess of the surrounding wall, as recited in claim 32.

None of the applied references discloses or suggests at least that the handle is a plate, and wherein only one surface of the handle is directly adjacent to the slit, as recited in claim 33. Instead, based on the reasons set forth in the Office Action, more than one surface of the alleged handle in the Fierek et al. reference clearly is directly adjacent to the alleged slit.

None of the applied references discloses or suggests at least that, when the egg tray and the second egg tray are twisted 180° with respect to each other and stacked together, the plurality of wall sections of the egg tray engage the recesses of the second egg tray and the plurality of second wall sections of the second egg tray engage the

recesses of the egg tray, as recited in claim 34. Instead, as shown in Figure 10 of the Fierek et al. reference, the walls 102 that surround the alleged support plate 68, 70, 72, 74 of a first egg tray clearly do not engage the alleged recesses 80, 82, 84, 86 of a second egg tray when stacked together. Instead, the trays rest on top of each other. Moreover, even if the trays were nested within each other, the walls 102 that *surround* the alleged support plate 68, 70, 72, 74 of a first egg tray clearly do not engage the alleged recesses 80, 82, 84, 86 of a second egg tray when stacked together. Indeed, the walls 102 clearly would not fit into the recesses 80, 82, 84, 86 of a second egg tray.

None of the applied references discloses or suggests an egg tray for a refrigerator, comprising a support plate having an upper surface and a lower surface, the support plate including a plurality of receptacles, each for respectively supporting one egg, the receptacles being openings formed in the support plate; a handle extending from the upper surface of the support plate; and a wall surrounding the support plate, the wall including a plurality of wall sections separated by recesses formed in the wall surrounding the support plate, wherein the plurality of wall sections extend downward from the support plate in a direction opposite from the handle, and wherein each of the plurality of wall sections of the wall surrounding the support plate is located diametrically opposite to one of the recesses formed in the wall surrounding the support plate, as recited in independent claim 35.

The Fierek et al. reference clearly does not disclose or suggest that the plurality of wall sections extend downward from the support plate in a direction opposite from the handle. Instead, in the Fierek et al. reference, the wall sections 102 clearly extend upward from the alleged support plate 68, 70, 72, 74.

Moreover, as shown in Figures 2 and 3, the Fierek et al. reference clearly does not disclose or suggest wherein each of the plurality of wall sections of the wall surrounding the support plate is located diametrically opposite to one of the recesses formed in the wall surrounding the support plate, as recited in independent claim 35. Instead, each of the wall sections 102 clearly is located diametrically opposite to another wall section 102, not to a recess 80, 82, 84, 86.

None of the applied references discloses or suggests that the handle is a plate arranged substantially perpendicular to the upper surface of the support plate, the egg tray further comprising a slit in the support plate, the slit being located directly adjacent to one side of the handle and extending along a length of the handle, the slit being an opening in the support plate having dimensions corresponding to dimensions of a cross-section of the handle taken in a plane parallel to the upper surface of the support plate, as recited in claim 36.

Instead, the handles of the Fierek et al. reference and the Cox et al. reference clearly are not plates. Rather, in the Fierek et al. reference, the handle is a hollow handle having sides supporting a cross bar handle. In the Cox et al. reference, the handle is an arched and contoured handle.

For at least these reasons, none of the applied references discloses or suggests the features of claims 31-36.

Applicants respectfully request allowance of these claims.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 13-36 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

/James E. Howard/

James E. Howard

Registration No. 39,715

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BSH Home Appliances Corporation
100 Bosch Blvd.
New Bern, NC 28562
Phone: 252-639-7644
Fax: 714-845-2807
james.howard@bshg.com